

REMARKS

Claims 1-7 and 9-16 are pending in this application. Claim 8 has been cancelled. Claims 1 and 12 have been amended to incorporate features indicated as allowable by the Examiner. No new matter has been incorporated as a result of these amendments and no additional search will be required.

Rejections under 35 U.S.C. § 102

Claims 1-3, 6, and 9-16 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent 4,323,813 to Vieland et al. ("Vieland"). Applicants respectfully request reconsideration of this rejection in light of the amendment to claims 1 and 12.

Claim 1 has been amended to include the feature of claim 8, which was indicated as allowable by the Examiner. Accordingly, Applicants respectfully request that the rejection to claim 1 be withdrawn. Claims 2-7 and 8-11 ultimately depend from claim 1 and are allowable for at least the above stated reasons.

Claim 12 has been amended so that the cap assembly includes means for releasing the spring. As acknowledged by the Examiner, with reference to claim 5 in the previous Office action, Vieland fails to disclose or teach this feature. Accordingly, Applicants submit that claim 12, as amended, is not anticipated by Vieland. Claims 13-16 depend from claim 12 and are not anticipated by Vieland for at least the same reasons.

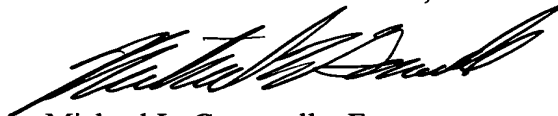
Rejections under 35 U.S.C. § 103

In light of the amendment to claim 1, the Applicants respectfully request that the rejection of claim 4 under 35 USC 103 be withdrawn. US patent 5, 075,588 to Hunter and US Patent 4,451,242 to Miyazawa et al. do nothing to cure the deficiencies of Vieland.

Application No. 09/683,683
Amendment dated January 21, 2005
Response to Office Action mailed September 23, 2004

Applicants respectfully request a Notice of Allowance based on the foregoing remarks. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6921. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ALTEP059). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
Martine Penilla & Gencarella, LLP

A handwritten signature in black ink, appearing to read "Michael L. Gencarella", written over a horizontal line.

Michael L. Gencarella, Esq.
Reg. No. 44,703

Martine Penilla & Gencarella, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Tel: (408) 774-6921
Customer Number 45640